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10 Attorney For Plaintiffs, DAREN HEATHERLY;  
11 and IRMA RAMIREZ

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13 UNITED STATES DISTRICT COURT  
14 DISTRICT OF CALIFORNIA

15 DAREN HEATHERLY; ) CASE NO. CV-13-5117-DMR  
16 and IRMA RAMIREZ )  
17 Plaintiffs, ) STIPULATION OF DISMISSAL AND  
18 v. ) [PROPOSED] ORDER THEREON  
19 PIZZERIA AVELLINO; WOOD )  
20 DRAGON LLC, a California Limited )  
21 Liability Co.; and BLOOM LIMITED )  
22 PARTNERSHIP, a California Limited )  
23 Partnership, )  
24 Defendants. )  
25 \_\_\_\_\_)

26 The parties, by and through their respective counsel, stipulate to dismissal of this action  
27 in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2). Outside of the terms of the  
28 Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own  
costs and attorneys’ fees. The parties further consent to and request that the Court retain  
jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511  
U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of  
settlement agreements).

Therefore, IT IS HEREBY STIPULATED by and between parties to this action through their designated counsel that the above-captioned action become and hereby is dismissed with prejudice pursuant to Federal Rules of Civil Procedure 41(a)(2).

This stipulation may be executed in counterparts, all of which together shall constitute one original document.

Dated: June 6, 2014,

THOMAS E. FRANKOVICH  
*A PROFESSIONAL LAW CORPORATION*

By: /s/ Thomas E. Frankovich

Thomas E. Frankovich  
Attorney for DAREN HEATHERLY;  
and IRMA RAMIREZ

Dated: June 6, 2014

Rochester, Wong & Shepard, A.P.C.

By: William R. Shepard

By: William R. Shepard  
William R. Shepard  
Attorney for Defendants WOOD DRAGON LLC, a  
California Limited Liability Co.; and BLOOM  
LIMITED PARTNERSHIP, a California Limited  
Partnership,

## ORDER

IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to Fed.R.Civ.P.41(a)(2). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the purpose of enforcing the parties' Settlement Agreement and General Release should such enforcement be necessary

24 Dated: June 26 , 2014

  
Honorable Donna M. Ryu  
UNITED STATES MAGISTRATE JUDGE